

INFORMATION BULLETIN

WORKFORCE INVESTMENT ACT

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TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: 15 PERCENT PROJECT REQUIREMENTS

This information bulletin transmits a revised document that highlights the major requirements of the Workforce Investment Act (WIA) as they relate to projects funded with the Governor's WIA 15 Percent Reserve for Statewide Employment and Training Activities and replaces the May 9, 2002, version. The Employment Development Department (EDD) developed the attached document with the intention of using it as a helpful tool for administering WIA 15 Percent projects.

The document describes WIA requirements and defines the roles and responsibilities of project operators and EDD project managers. The project requirements described in the document include client eligibility, required services, reporting, performance measures, and follow-up services. Based on comments received, we made the following changes to the original document:

- The provision that youth 18-21 years of age will be counted as adults (and understood to be only eligible for adult services) is eliminated.
- Allows project flexibility to enroll youth 18-21 years of age as adults and still provide them youth services.

As stated before, the WIA 15 Percent projects are awarded at the discretion of the Governor and are not bound by all of the same program restrictions that exist for programs funded with formula-allocated moneys under WIA. For example, unlike formula-funded programs, discretionary projects are not required to give priority of service to low-income adults or provide core and intensive services prior to training. Discretionary projects are not required to select training providers from the Eligible Training Provider List or provide Individual Training Accounts as required by other adult training programs. Discretionary projects serving youth are not required to dedicate at least 30 percent of funds to serve out-of-school youth.

If you have any comments or suggestions about the attached document, please send them to Michael Evashenk at mevashen@edd.ca.gov. We expect to release a similar document soon that summarizes the requirements for the Governor's WIA 25 Percent Reserve for Statewide Employment and Training Activities. If you have any questions, please contact Michael Evashenk at (916) 654-7616.

/S/ BILL BURKE
Chief
Workforce Investment Division

Attachment

WIA 15 PERCENT PROJECT REQUIREMENTS

OVERVIEW

The Workforce Investment Act (WIA) provides federal funding to the State of California for workforce investment activities. These activities are provided through State and local workforce investment systems. The program goals are increasing employment, retention, and earnings of participants and increasing occupational skill attainment by participants so the quality of the workforce can be improved, welfare dependency can be reduced, and the State's workforce competitiveness and productivity can be enhanced. The WIA program authorizes the Governor to allocate a majority of the funds via formula to Local Workforce Investment Boards who have the responsibility for setting local policy and for providing direction for use of these formula-allocated funds in their Local Workforce Investment Area. The Governor, by law, is allowed to reserve 15 percent of the WIA funds in California for use at his discretion for the provision of statewide employment and training activities. This document highlights the major requirements of WIA as they relate to projects funded with the Governor's WIA 15 Percent Reserve for Statewide Employment and Training Activities.

This document was prepared by managers in the Employment Development Department (EDD), Workforce Investment Division (WID), and the Program Development and Management Division (PDMD), and it is intended to be a helpful tool. It is not intended to be all-inclusive.

This document covers the following areas: **CLIENT ELIGIBILITY, REQUIRED SERVICES, REPORTING, PERFORMANCE MEASURES, and FOLLOW-UP REQUIREMENTS**. It is developed as a tool to assist local and State program operators as they plan and implement their 15 Percent WIA Discretionary projects. These requirements are based on the WIA and the supporting regulations (Code of Federal Regulations, Part 652, et. al.) and Department of Labor (DOL) guidance on performance and reporting included in Training and Employment Guidance Letters (TEGL) 7-99, 14-00, and 14-00, Change 1.

For 15 Percent project operators with new projects (funded and under contract negotiation), more specific guidance on California's systems to implement the WIA requirements will be provided through State-sponsored orientation sessions and training classes.

Fifteen (15) Percent project operators, who are operating projects under contract at the time of the release of this document, should contact their State Project Manager at EDD WID to discuss implications for their project.

CLIENT ELIGIBILITY

I. General—Program operators must verify the following for all individuals served under the WIA program:

- Right to work in the United States
- Selective Service registration compliance *as it applies to male applicants*
- AGE—The following chart displays references to the act and the regulations, the federally required age for participation, and the applicable Title I-B program.

REFERENCE	AGE	TITLE I PROGRAM
WIA Section 101(1)	18 or older	Title I-B – Adult
Title 29 CFR Section 663.110	18 or older	Title I-B – Dislocated Worker
WIA Section 101(13)	14 - 21	Title I-B – Youth

II. Adult Clients (Age 18 and Older)

There are no additional adult eligibility requirements unless special groups are to be targeted. The eligibility criteria for these special groups will be spelled out in the project narrative of the contract, subgrant, or interagency agreement that EDD will establish with the project operator.

III. Youth Clients (Ages 14-21)

For projects which are youth oriented, and which include the provision of direct services to youth participants, the youth eligibility criteria below must be used to determine the enrollment eligibility of youth ages 14 through 18. Youth who are age 18 through 21, and who are going to be served in the same youth oriented project, may be enrolled pursuant to the above adult eligibility criteria or pursuant to the youth eligibility criteria which are outlined below. The State's sole purpose in permitting these two alternative enrollment criteria to be used in respect to enrolling older youth into youth oriented projects is to make it easier to enroll older youth.

A. On a project-by-project basis, at least 95 percent of those youth clients served must be low income as stipulated in the act and must fall into one or more of the following categories:

- Deficient in basic literacy skills;
- School dropout;
- Homeless, runaway or foster child;
- Pregnant or parent;

- Offender; or
 - Requires additional assistance to complete an educational program or to secure and hold employment. Additional assistance will be defined by the project operator in conjunction with the State.
- B. On a project by project basis, up to five percent of the total number of youth clients served may be youth who do not meet the income criterion but who are within one or more of the following categories:
- School dropout;
 - Basic skills deficient, as defined in WIA Section 101(4);
 - Are one or more grade levels below the grade level appropriate to the individual's age;
 - Pregnant or parenting;
 - Possess one or more disabilities, including learning disabilities;
 - Homeless or runaway;
 - Offender; or
 - Face *serious barriers to employment* as approved by the State or Local Workforce Investment Board for purposes of the project.
- C. There are no additional youth eligibility requirements unless special groups are to be targeted. The eligibility criteria for these special groups will be spelled out in the project narrative of the contract, subgrant or interagency agreement that EDD will establish with the project operator.

REQUIRED SERVICES

- I. In programs serving adults (age 18 and older)
- Project operator must deliver the services agreed to in negotiations with the State and contained in the project narrative that is part of the contract, subgrant, or interagency agreement.
- II. In programs serving youth (age 14 through 21)
- Project operator must deliver the services agreed to in negotiations with the State and contained in the project narrative that is part of the contract, subgrant, or interagency agreement. These may be delivered to all project participants, including those who were enrolled pursuant to adult eligibility criteria.

- Project operator must establish skill attainment goals, at least annually, for each participant who was enrolled pursuant to the youth eligibility criteria.
- Project operators who have youth participants are encouraged, but not required, to develop a program design which includes the ten program elements listed below:
 1. Tutoring, study skills training and instruction leading to secondary school completion, including dropout prevention strategies
 2. Alternative secondary school offerings
 3. Summer employment opportunities directly linked to academic and occupational learning
 4. Paid and unpaid work experiences, including internships and job shadowing
 5. Occupational skill training
 6. Leadership development opportunities
 7. Supportive services
 8. Adult mentoring
 9. Follow-up services
 10. Comprehensive guidance and counseling

REPORTING

If a project includes WIA participants (adult or youth), the project will adhere to DOL reporting guidelines. The EDD may establish additional reporting requirements to ensure accountability and to meet research and demonstration evaluation needs, if any. The EDD will also establish reporting requirements for projects where there are no WIA participants. Reporting requirements for all projects will be included in the contract, subgrant, or interagency agreement which EDD will establish with the project operator.

PERFORMANCE MEASURES

The law allows for projects funded in the 15 Percent Governor's Discretionary Funds to be designated as research and demonstration projects. The State EDD, WID, and PDMD Management Team will designate projects that are demonstration versus those which are not. Project operators designated as demonstration will be notified by EDD, WID, or PDMD.

Demonstration/Research Projects: The State and the project operator will agree on performance measures so that the State can assess the outcomes of the project. Demonstration/research project performance will be exempt from being reported by the State to DOL. Most demonstration projects will have an independent evaluation component associated with the project.

Non-demonstration/Non-research Projects: The State and project operators will establish performance goals for each project using all or a subset of the 17 standard WIA performance measures specified in WIA and the regulations (WIA Section 136, 20 Code of Federal Regulations, Part 666). These measures are defined in DOL TEGL 7-99. Goals should be established for all performance measures that apply to the population being served in the project. The Statewide performance goals will apply unless these are revised during the negotiation process. Any performance goals, which are below the Statewide goals, must be approved by the WIA management team in EDD and described in the project narrative portion of the subgrant or interagency agreement. Performance data for non-demonstration/non-research projects will apply only to State-level performance and will not apply to local area performance calculations.

Past performance will be one of the criteria considered for future renewal or for approval of additional funding of a 15 Percent project.

FOLLOW UP SERVICES

The WIA, the governing regulations, and DOL policy guidance encourage and, in some cases, require adult and dislocated worker follow-up services for two separate reasons. First, WIA encourages long-term intervention to assure that individuals placed in employment receive the support necessary to retain employment and gain self-sufficiency. Second, follow-up contacts enable the State and specific projects to maximize performance outcomes by collecting information on the employment status and the post-program educational attainment/credentials of individuals served with WIA funds. The State's Job Training Automation system has been designed to allow programs to report client contact information for four quarters after exit to support client tracking and to supplement data in the automated performance reporting system.

The requirements to provide follow-up services for the two categories of 15 Percent projects are explained below. We have implemented different requirements for demonstration projects because, as a rule, these projects are outside of the "standard" performance system and subject to independent evaluation criteria.

Demonstration/Research Projects: Project operators are encouraged, but are not required, to conduct follow-up activities as outlined in WIA and consistent with intent of the legislation to provide longer-term intervention to support success. The State and the project operator will discuss and establish follow-up requirements for the project. These will be added to the project narrative in the contract, subgrant, or interagency agreement.

Non-demonstration/Non-research Projects: Follow-up contacts are mandatory with participants placed into a job both for the period after placement before program exit and for each of the four quarters after the participant exits from the program. In an effort to support a client's successful entry or reentry into the labor market, and to assist in their job retention, attempts should be made to follow-up with all clients to determine their needs for additional services before exit and to assess outcomes, as appropriate and feasible. At each follow-up contact, project operators are expected to record and report supplemental outcome information gathered as a result of accomplishing the

follow-up contacts. Follow-up reporting is discussed in detail in the WIA Client Forms Handbook. Further discussions of follow-up contact requirements and reporting of supplemental information will be held during project development and during individual or group orientation sessions as necessary.

If a project is established for a term-specific period and is not considered an ongoing project, the State may relax the follow-up contact requirement. The State and the project operator will discuss and establish follow up requirements for the project. These will be added to the project narrative in the contract, subgrant, or interagency agreement.